

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AUTHEN TEC, INC.,

Plaintiff,

v.

ATRUA TECHNOLOGIES, INC.,

Defendant.

No. C 08-1423 PJH

**ORDER RE REQUESTS TO FILE  
DOCUMENTS UNDER SEAL**

The court is in receipt of numerous requests to file documents under seal in connection with two motions filed in the above-entitled action by defendant and counterclaimant Atrua Technologies, Inc., along with declarations from opposing parties regarding the sealing requests, at least one opposition to one of those declarations, at least one motion to withdraw said opposition, at least one motion to “unseal” documents that have not been ordered sealed, at least one motion to “de-designate” purportedly confidential documents (possibly the same thing as the motion to “unseal”), and various other responses taking one side or the other in the disputes regarding the motions to seal.

The court has neither the time nor the inclination to attempt to untangle or wade through all the filings relating to the sealing requests. Accordingly, the court hereby ORDERS as follows: No later than Monday, March 23, 2009, counsel for plaintiff and counterdefendant AuthenTec, Inc. and defendant and counterclaimant Atrua Technologies, Inc. shall MEET AND CONFER IN PERSON. At this meeting, they shall prepare a joint written statement summarizing the parties’ various disputes (including the chronology of the disputes) regarding the sealing requests and oppositions thereto or support thereof.

1 This summary shall include a list of the motions to seal that are pending before the  
2 undersigned (including the docket numbers of the requests); and for each document as to  
3 which a request to seal is pending, a statement of the reason(s) that the requesting party  
4 seeks the sealing order, and the reasons that the non-requesting party supports or  
5 opposes sealing.

6 The joint written statement shall be in the form of a letter brief not to exceed 10  
7 pages, and shall be filed no later than Wednesday, March 25, 2009. Also on March 25,  
8 2009, the parties shall lodge (not file) an appendix attaching copies of all the documents  
9 that are the subject of the motions to seal that are pending before the undersigned. The  
10 appendix shall include an index listing the documents, and the attached documents shall be  
11 tabbed as exhibits to the appendix.

12 If the parties are unable to comply with this order to the court's satisfaction, all the  
13 pending motions to seal will be denied.

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15 **IT IS SO ORDERED.**

16 Dated: March 18, 2009



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PHYLLIS J. HAMILTON  
United States District Judge